

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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June 22, 2004

FROM: ELIZABETH SANCHEZ, Employee Relations Chief
Human Resources Department

SUBJECT: EXTENSION OF SUPPLEMENTAL MILITARY LEAVE BENEFITS

RECOMMENDATION: Approve extension of military leave benefits (pay differential) until June 24, 2005, for all County employees.

BACKGROUND INFORMATION: Employees have a statutory right, pursuant to California law (California Military and Veterans Code Section 395 et seq.), to be paid their regular salary during the first 30 days of military duty. Since 2001, the County and Special Districts have had an average of 115 employees each year called to temporary duty who have utilized this type of fully paid Military Leave.

In October 2001, following the terrorist attacks on the United States and activation of military reservists, the Board approved establishment of a Supplemental Military Leave/Pay Program (Program). The Program provides for employees to receive paid leave time (the difference between their base County pay and their base military pay) and continuation of full benefits (flex dollars, retirement service credit and contributions, leave accruals and other miscellaneous employment benefits) while on active duty, following exhaustion of their entitlement under the 30-day, full pay program.

The Program has been in effect continuously for County employees since October 2001 through a series of amendments to the various Memoranda of Understanding and the Exempt Compensation Ordinance. In March 2003, the Board approved an item to amend the MOUs/Compensation Ordinance to extend the Program through the end of FY 2003/04 as well as to allow the Board to unilaterally extend the Program further without negotiating with the employees associations and amending the MOUs and exempt compensation ordinances.

Since the inception of the Program, approximately 45 employees in the County and Special Districts have been placed on extended military leave and received benefits of the Program. The Program is due to expire on June 25, 2004. There are currently approximately 21 County employees on extended military leave; 15 of these have orders extending them on active duty into the next fiscal year.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed by County Counsel, Jean-Rene Basle (Deputy County Counsel, 387-5477) on June 14, 2004 and the County Administrative Office (Daniel R. Kopp, Administrative Analyst, 387-3828) on June 14, 2004.

FINANCIAL IMPACT: Approval of this item would result in a cost of approximately \$261,000 (\$132,000 local cost), based upon the employees' current orders; however, if all 24 employees were to be retained on active duty for the entire fiscal year, the cost would be approximately \$729,000 (\$353,000 local cost).

SUPERVISORIAL DISTRICTS: All

PRESENTER: Elizabeth Sanchez, Employee Relations Chief, 387-6051

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